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EXAMINER

HUYNH, SON P

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/649,788

Applicant(s)

WONG ET AL.

Examiner

Son P Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-76 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 39-40, 72-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (US 2005/0028208).

Regarding claim 39, Ellis teaches a method of programming a recording system, comprising:

receiving a token describing at least one of audio and/or visual program content

(receiving program guide information of program to be recorded – par. 0067, par. 0103);

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requesting information from a server (e.g. facility 16 – figure 6a) sufficient to allow the recording system to record the audio and/or visual program content described by the token (figure 19, par. 0163-0164);

receiving the requested information from the server (receiving the recording information from the server – par. 0163-0164, figure 19);

programming the recording system to record the audio and/or visual program content described by the token (par. 0163-par. 0164, figure 19);

providing token services based on the audio and/or video program content described by the token (providing recording of the selected program as described by schedule recording information – par. 0103, par. 0163-par. 0164 and figure 19).

Regarding claim 40, Ellis teaches recording the audio and/or visual program content at the recording system (par. 0163-par. 0164, figure 19).

Regarding claim 72, Ellis teaches a method of programming a recording system comprising:

receiving programming information (receiving program guide information – par. 0067);

receiving a token describing at least one of audio and visual content (program guide data such as title, channel, etc. figures 8-11);

using the program information, programming the recording system to record the described at least one of audio and visual content (figure 19, par. 0163);

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providing token services based on the token (i.e., recording program based on the schedule recording information – figure 19, par. 0163).

Regarding claim 73, Ellis teaches the programming information is stored in memory associated with the recording system (par. 0083), the method including converting the received token into local programming data based on the stored programming information (convert to a suitable format for display – par. 0084-par. 0086).

Regarding claim 74, Ellis teaches a method as discussed in the rejection of claim 72. Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the steps of claim 72.

Regarding claim 75, Ellis teaches a method of programming a recording system comprising:

receiving a token describing at least one of audio and visual content (program guide data such as title, channel, etc. figures 8-11);

determining whether the token is from an authorized source (block potentially objectionable programs, channels, services, genres, etc. par. 0120-par. 0125);

transmitting a request to a server to provide information sufficient to allow the recording system to record at least one of audio and visual content described by the token (transmitting recording information associated with program selected to be recorded to

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distribution facility 16 for scheduling selected program to be recorded in specific storage device 31, 32, 47, 49, 56 – figures 3-5, 19 and par. 0163);
receiving the information from the server (e.g., receiving schedule recording information from distribution facility 16 –figure 19, par. 0163);
programming the recording system to record the at least one of audio and visual content based on the received information (programming the storage device 31, 32, to record the selected program – figure 19, par. 0163);
providing token services based on the token (i.e., recording program based on the schedule recording information – figure 19, par. 0163).

Regarding claim 76, Ellis teaches a method as discussed in the rejection of claim 75. Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the steps of claim 75.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-17, 19-28, 30-32, 38,41-48, 50-53, 55-61, 63-69, 71-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al. (US 2005/0028208) in view of Hirata (US 6,374,406).

Regarding claim 1, Ellis teaches a system for facilitating programming of an associated device (storage device)-figures 2b, 2d, 6a-6c), comprising:

a token service system (television distribution facility 16 and remote program guide access device 24) configured to provide token services (met by program guide information-paragraph 0103);

a client system configured to receive a message and tokens (user television equipment 22, configured to receive a message and program guide information from television distribution facility 16—figures 2b,2d, 6a-6c and par. 0070, lines 5-12; par. 0075, par. 0099);

wherein the client system is configured to program operation of the associated device based on the token indicating program criteria (i.e., the user television equipment 22 is configured to program the recording device to record a selected program based on the recording command and program guide information received from remote access device and distribution facility— figures 3-5, par. 0075, par. 0097) and wherein the token service system provides token service based on the token indicating program criteria (met by the television facility provides services such as schedule program recording,

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view listings, etc. based on the received command – paragraphs 0097-0100). However, Ellis does not specifically disclose the message having an associated token.

Hirata teaches receiving a message having an associated token (receiving e-mail having video reservation information – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

Regarding claim 2, Ellis further teaches the associated device is a recording device operative to record at least one of audio and visual programming (par. 0101).

Regarding claim 3, Ellis further teaches the recording device is a digital recording apparatus (par. 0091).

Regarding claim 4, Ellis further teaches a programmable program list is operatively associated with the digital recording apparatus, the program list including program criteria indicative of selected programming to be recorded based on the token (met by program guide is used for selecting a program to be recorded– figures 7-8).

Regarding claim 5, Hirata further teaches the message is an electronic mail message (figures 3-4).

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Regarding claim 6, Hirata further teaches the token (video recording reservation information) is an attachment to the electronic mail message (figures 3-4).

Regarding claim 7, Ellis teaches the electronic mail message is received by the client system from a remote server system (transmission device – col. 2, lines 10-23).

Regarding claim 8, Ellis further discloses the client system (22) accepts program guide information and recording request, and programs to record selected programming based on each accepted program guide data and recording request (par. 0081).

Necessarily, the client system (22) includes computer executable instructions for automatically accepts tokens (program guide information and recording request) from a predetermined source (remote control 40 or user interface 52) and, in turn, programming to record predetermined programming based on each accepted token (record selected program based on each accepted program guide data and recording request).

Regarding claim 9, Ellis further discloses the user selection of a program to be recorded is sent to storage device 31, 32 for schedule to recording device to record the selected program (par. 0083- par. 0084). Necessarily, the program message including a token having program criteria selected at the client system (e.g. channel, time, title, etc.), the

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selected recipient system is met by selected storage device such as storage device 31, 32.

Regarding claim 10, Ellis in view of Hirata teaches a system as discussed in the rejection of claim 9. Necessarily, the token of the program message has program criteria indicative of at least one of predetermined audio and visual programming selected at the client system (e.g. title, time, etc. of the selected program to be recorded-par. 0187).

Regarding claims 11-12, the additional limitations as claimed correspond to the additional limitations of claims 5-6, and are analyzed as discussed with respect to the rejection of claims 5-6.

Regarding claim 13, the additional limitations as claimed correspond to the additional limitations of claim 7, and are analyzed as discussed with respect to the rejection of claim 7. Hirata further discloses the electronic message having the token indicative of the selected program criteria (video reservation information – figure 3).

Regarding claim 14, Ellis further discloses the program selected by the user is recorded in a predetermined storage device based on the information provided in the message (par. 0187). Necessarily, the client system is programmed to automatically program the associated device based on the token being predetermined program criteria.

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Regarding claim 15, Ellis teaches a system for facilitating recording of at least one of audio and visual information, comprising:

a token service system (met by television distribution facility 16 and remote program guide access device 24) operable to provide token services (met by program guide information-paragraph 0103);

a recording device (user television equipment which includes storage devices 31,32-figure 3) programmed to receive electronic message and token (receiving program guide information –par. 0097-par. 0100; par. 0103-par. 0104, par. 0119), the token having program criteria indicative of at least one of selected audio and visual broadcast programming, the recording device being programmable to record a predetermined broadcast program based on the token (storage device is scheduled to record the selected program based on the information provided in the request –par. 0163-par. 0164); and

wherein the token service system provides token service based on the token (met by the television facility provides services such as schedule program recording, view listings, etc. based on the received command – paragraphs 0097-0100). However, Ellis does not specifically disclose the electronic mail messages having an associated token.

Hirata teaches receiving electronic mail messages having an associated token (receiving e-mail having video reservation information – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

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to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

Regarding claim 16, Ellis further teaches a client device (set top box 28 or remote control 40 –figure 3) which communicates with the recording device (31, 32– figure 3) for programming operation of the recording device based on the program criteria of a corresponding token (par. 0081-par. 0084).

Regarding claim 17, Ellis further teaches the client device (e.g. set top box 28 figure 3) is programmed to program operation of the recording device in response to accepting the corresponding token at the client device (schedule program recording in response to accepting program recording request, and record the requested program when scheduled time is approached – par. 0163-par. 0164).

Regarding claim 18, Ellis in view of Hirata discloses a system as discussed in the rejection of claim 17. Hirata further discloses the recording device has a programmable list identifying broadcast programming (program selected to be record on a predetermined channel) to be recorded by the recording device (figures 10-11). Hirata further discloses recording reservation data previously set can be deleted based on the command character string (figure 8, col. 7, line 35-col. 8, line 58). Necessarily, the

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programmable list being modified based on the corresponding token being accepted at the client device and passed to the recording device.

Regarding claim 19, Ellis further teaches the broadcast programming identified by the token is broadcast at a predetermined time on a predetermined channel for a predetermined duration (figures 7-8).

Regarding claim 20, Ellis in view of Hirata teaches a system as discussed in the rejection of claim 16. Ellis teaches the client device (e.g., set top box, remote controller – figure 3) is programmed to send a message to a selected recipient system (selected storage device -figure 3). Necessarily, the message including a token (information of program to be recorded in the storage device) having program criteria (program times, channels, etc.) indicative of broadcast programming selected at the client device so that the storage device performs predetermined operation (i.e., recording) as indicated in the message.

Regarding claim 21, the limitations as claimed correspond to the limitations of claim 13, and are analyzed as discussed with respect to the rejection of claim 13.

Regarding claim 22, Ellis teaches a remote client device (40– figure 3) programmed for sending an electronic mail message to the recording device (31, 32– figures 3-6b)

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having a token indicative of the selected broadcast programming (par. 0081-par. 0085, par. 0099-par. 0100).

Regarding claims 23-24, the limitations as claimed correspond to the limitations of claims 3, 6 respectively, and are analyzed as discussed with respect to the rejection of claims 3, 6.

Regarding claim 25, Ellis teaches a system for facilitating programming of a recording means (figure 3), comprising:

means (set top box) for receiving a message and token (program guide information), the token having program criteria indicative of a selected broadcast program (figures 3, 6 par. 0072, par. 0075, par. 0080);

means (television distribution facility, remote access device 24 – figures 2b, 2d, 6a-6c) for providing token services, the token services provided based on the token (program guide information (e.g., reminder information, listing information, recording information, message information, etc.) is provided by the television distribution facility to user television equipment (figures 2b, 2d, 6a-6c and par. 0103);

means (set top box 28, remote control 40 – figure 3) for programming the recording

means (31, 32) to record the selected broadcast program based on the program criteria of the token (schedule program recording in response to received command – figures 3, 19, par. 0163-0164). However, Ellis does not specifically disclose the message having an associated token.

Hirata teaches receiving message having an associated token (receiving e-mail message having video reservation information – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

Regarding claim 26, Ellis further teaches the broadcast program correspond to at least one of audio and visual programming (figures 7-8,19).

Regarding claims 27-29, the limitations as claimed correspond to the limitations of claims 5-6, 18, and are analyzed as discussed with respect to the rejection of claims 5-6, 18.

Regarding claim 30, Hirata further discloses means for accepting the token, the modifying means being responsive to accepting the token (e.g., the receiver receives the “video cancel” in the message and deletes the recording data previously set (figure 7, line 35-col. 8, line 58).

Regarding claim 31, Ellis in view of Hirata teaches a system as discussed in the rejection of claim 25. Ellis further teaches means (40, 46 figures 3-5) for selecting

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broadcast programming and sending message indicative of the selected broadcast programming (par.0089, par. 0099-par. 0100).

Regarding claim 32, Ellis discloses a method for facilitating of an associated recording device (user television equipment 22 – figure 2b, 2d), the method comprising the steps of:

receiving a message and token indicative of program criteria (receiving message and program guide information includes message information, reminder information, schedule recording information, listing information, etc. -par. 0103);

providing token services based on the token (providing services such as reminding, recording, etc. based on program guide information – figure 19, par. 0163-par. 0164); and

programming operation of the associated recording device based on the token (e.g., program recording of the associated recording device based on the program guide information- figure 19, par. 163-164). However, Ellis does not specifically disclose the messages having an associated token.

Hirata teaches receiving messages having an associated token (receiving e-mail having video reservation information – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium. .

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Regarding claims 33-35, the additional limitations as claimed correspond to the additional limitations as claimed in claims 18, 26, 19, and are analyzed with respect to the rejection of claims 18, 26 and 19.

Regarding claim 36, Hirata discloses receiving character string and modify the recording reservation data previously set based on the character string (figure 8, col. 7, line 21-col. 8, line 59). Thus, prior to the step of modifying, the method further includes the step of accepting the token (i.e., character string).

Regarding claim 37, Hirata further discloses the step of accepting occurs automatically (performed by computer software) in response to the message being from a predetermined authorized source (col. 7, line 21-col. 8, line 58).

Regarding claim 38, Ellis teaches the associated device is a recording device (storage devices 31, 32, figure 3), the method further including selecting broadcast programming at a remote client system (22 or 24, 231 – figures 6a-6c) and sending an electronic mail message to the recording device (par. 0119). Hirata discloses the electronic mail having token (reservation information – figure 3) of the selected broadcast programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching as taught by Hirata in order to provide an alternative way to send information in Internet medium.

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Regarding claim 41, Ellis teaches a system to facilitate programming of an associated recording system, comprising:

a token service system (16,24) operable to provide token services (television distribution facility 16 and remote program guide access device provide program guide information – par. 0072, par. 0103 and figures 2b, 2d, 6a-6c);

a client system (22– figures 2b,2d, 3, 6a-6c) programmed to receive a message and a token (program guide information) representing a corresponding program of at least one of an audio and visual program from a remote computer system (24, 16, 231 – figures 6a – 6c, par. 0103); wherein the token is translated into a suitable format for programming the recording system to record the corresponding program (par. 0072 – figure 19) and wherein the token translation is monitored by the token service system to facilitate providing token services based on the token (met by the distribution facility 26 provides service based on the program guide information i.e., record the program if the token is schedule program recording – figures 19, par. 0163-0164). However, Ellis does not specifically disclose the message including a token.

Hirata teaches receiving message including a token (receiving e-mail message having video reservation information – figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

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Regarding claim 42, Ellis further teaches the suitable format of the token includes data indicative of at least two of time, date, and channel for the corresponding program in a local tuning space (channel, storage device) associated with the client (figures 10-11).

Regarding claim 43, Ellis further teaches the token is translated into the suitable format in response to the receiving the token at the client system (par. 0084).

Regarding claim 44, Ellis further the user enters password to access some program such as pay per view (par. 0018, par. 0024) reads on the claimed feature of "the token includes authentication data, the token being translated into the suitable format upon authentication of the token at the client system."

Regarding claim 45, Ellis discloses program guide distribution equipment 21 may include, for example, suitable transmission hardware for distributing program guide data on a television channel sideband, in the vertical blanking interval of television channel, using an in band digital channel, using an out of band digital signal, or any other suitable data transmission technique (page 10, line 15+). Communication paths 20 and paths 19 may be any suitable wired or wireless communications paths (page 14, line 23+). Inherently, a "local translator system" is included at the client system for translate

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the token (program guide information contain in recording request) into the suitable format.

Regarding claim 46, Ellis further teaches a translator system located at a remote server (e.g. distribution facility 16), the client system providing a token translation request to the translator system for translating the token into the suitable format (par. 0073).

Regarding claim 47, Ellis further teaches the token includes a plurality of tokens, each token representing a segment of the corresponding programs (program guide information includes program times, channels, titles, description, the title represents the title of the corresponding program – figure 8).

Regarding claim 48, Ellis further discloses the program guide information comprises program listing data such as program times, titles, channels, description (figure 8). The program listing data is received and displayed on the screen as program guide display screens wherein the program guide information is organized in a predetermined order (figure 8). Inherently, the client system programmed to dynamically combined selected segments (title, channel, time) of the corresponding program in a predetermined order (e.g. display on the same row).

Regarding claim 49, Ellis further discloses the client system is further programmed to dynamically insert at least one of a plurality of other program segments (i.e., pop up

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window or message) between adjacent pairs of the selected segments of the corresponding program (i.e., segments of program being displayed on the screen) – see par. 0118)

Regarding claim 50, Hirata further teaches the token is an email message, the token being operatively associated with the email message (figures 10-11).

Regarding claim 51, the additional limitation as claimed correspond to the additional limitation of claim 6, and are analyzed as discussed with respect to the rejection of claim 6.

Regarding claim 52, Ellis teaches a system to facilitate programming of an associated recording system, comprising:

a client system (22 – figures 6a-6c) programmed to obtain a message from a remote computer system (12, 16, 22, or 231 – figures 1, 6a-6c), and a plurality of tokens (program titles, times, channels, descriptions – figures 7-11), at least some of the plurality of tokens representing different program segments (times, channels, description, titles) of a corresponding program of at least one of an audio and visual program (figures 7-11);

wherein each token associated with the corresponding program is translated into a suitable format and linked for programming the recording system to record and link each

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of the different program segments of the corresponding program (figures 8 – 11, par. 0084); and

a token service system operable to provide token services, wherein the token services provided are based on the plurality of tokens (distribution facility 16 provides program guide information such as schedule recording time, television program guide, etc. and the television equipment performs the function based on the received program guide information- figure 19, par. 0163). However, Ellis does not specifically disclose the message including a plurality of tokens.

Hirata teaches receiving message including a plurality of tokens (receiving e-mail message having video reservation information – figure 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis to use the teaching of sending an associated token in the message as taught by Hirata in order to provide an alternative way to send control information in Internet medium.

Regarding claim 62, the additional limitation as claimed correspond to the additional limitation as claimed in claim 49, and are analyzed as discussed with respect to the rejection of claim 49.

Regarding claims 53- 55, the limitations correspond to the limitations of claims 48-50, and are analyzed as discussed with respect to the rejection of claims 48-50.

Regarding claim 63, the limitations as claimed correspond to the limitations as claimed in claim 41, and are analyzed as discussed with respect to the rejection of claim 41.

Regarding claim 64, the limitations of the method as claimed correspond to the limitations of the system as claimed in claim 41, and are analyzed as discussed with respect to the rejection of claim 41. Ellis further teaches local tuning space (storage devices 31, 32) for recording the program.

Regarding claims 65-66, 69-70, the additional limitations as claimed correspond to the additional limitations as claimed in claims 43-44, 48-49, and are analyzed as discussed with respect to the rejection of claims 43-44, 48-49.

Regarding claim 67, Ellis teaches connecting to a server system (e.g. 12 or 16, 24 – figures 1, 6a-6c), submitting to the server system a translation request, and receiving at the client system the local programming data for the program represented by the token (par. 0073).

Regarding claim 68, Ellis teaches translating at least some of the program criteria (categories, titles, times, etc.) into the local programming data at the client system (figures 7-11).

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Regarding claims 56-61, the limitations as claimed are directed toward embodying the method of claims 64-69 in "computer readable medium". Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the steps of claims 64-69.

Regarding claim 71, Ellis teaches a method as discussed in the rejection of claim 64. Ellis further discloses all functions are performed by using computer software (par. 0073). Inherently, the computer readable medium having computer executable instructions for performing the steps of claim 64.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Perry et al. (US 6,195,501) teaches computer control of a video cassette recorder using wireless communication and a vertical blanking interval triggering.

Sato (US 6,526,579) teaches Internet downloaded programmable remote control for registered devices.

Byers et al. (US 5,943,467) teaches adaptive menu for programming a video cassette recorder.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SPH
April 3, 2006


HAITRAN
PRIMARY EXAMINER